

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

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CRIMINAL NO. 1:17CR51  
(Judge Keeley)

JAMES L. LAURITA, JR.,

Defendant.

ORDER SCHEDULING RETRIAL

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On February 9, 2018, the Court conducted a status conference by telephone to discuss scheduling this case for retrial (Dkt. No. 55). For the reasons stated on the record, the Court **SCHEDULED** the jury selection and retrial for **Friday, April 13, 2018, at 9:30 A.M.**, to last **five** days. The following table of dates and deadlines shall govern the further preparation of this case:

TABLE OF DATES AND DEADLINES	
JENCKS ACT MATERIAL	March 14, 2018
GIGLIO AND ROVIARO	March 14, 2018
PROPOSED VOIR DIRE, JURY INSTRUCTIONS	March 14, 2018
MOTIONS IN LIMINE	March 14, 2018
RESPONSES TO MOTIONS IN LIMINE	March 21, 2018
PLEA AGREEMENT	March 14, 2018
FINAL LIST OF WITNESSES	March 14, 2018
FINAL LIST OF EXHIBITS	March 14, 2018
PRETRIAL CONFERENCE	March 28, 2018 3:00 P.M.

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TRIAL DATE	April 13, 2018 9:30 A.M. (five days)
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1. JENCKS ACT MATERIAL: It is requested that the government disclose materials described in 18 U.S.C. § 3500 (Jencks Act material) on or before **March 14, 2018**.

2. GIGLIO AND ROVIARO: Rule 404(b), Giglio and Roviario evidence shall be disclosed on or before **March 14, 2018**.

3. PROPOSED VOIR DIRE AND JURY CHARGE: All proposed voir dire questions and proposed jury instructions shall be filed by counsel with the Court and opposing counsel on or before **5:00 P.M.** on **March 14, 2018**.

If the instructions, voir dire, verdict forms, and special interrogatories in this case are prepared on a computer in a software program compatible with WordPerfect or Microsoft Word, counsel are requested to send files containing those instructions in such a compatible format to the Court by email, care of Candace Levitsky at [candace\\_levitsky@wvnd.uscourts.gov](mailto:candace_levitsky@wvnd.uscourts.gov), with the email subject line including the case name and party proposing the instructions. If the request for an email with the noted information is not followed, sanctions may occur.

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4. **WITNESS LIST**: By **5:00 P.M. on March 14, 2018**, counsel for each party shall file a list of probable witnesses and possible witnesses (identified as such), but not whether or not the defendant shall be a witness. The list shall state the full name and address of each witness and shall also contain a brief statement of the subject matter to be covered by each witness. Expert witnesses and record custodians shall be identified as such on the list.

5. **EXHIBIT LIST**: By **5:00 P.M. on March 14, 2018**, counsel for each party shall file with the Court and with opposing counsel a list of exhibits to be offered at trial. In addition, counsel for each party shall number the listed exhibits with evidence tags which may be obtained from the Clerk and shall exchange a complete set of marked exhibits with opposing counsel (except for large or voluminous items or other exhibits that cannot be reproduced easily).

6. **MOTIONS IN LIMINE**: All motions in limine (which must be limited to matters actually in dispute) shall be filed by counsel on or before **5:00 P.M. on March 14, 2018**. Responses to motions in limine are due on or before **5:00 P.M. on March 21, 2018**.

7. **PLEA AGREEMENT**: If this matter results in the formulation of a plea agreement, counsel shall submit to the Court the executed

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plea agreement or an unexecuted final proposed agreement by 5:00 P.M. on March 14, 2018.

8. **PRETRIAL CONFERENCE**: A pre-trial conference shall be held before the Honorable Irene M. Keeley on **Wednesday, March 28, 2018**, at **3:00 P.M.**, at the **Clarksburg, West Virginia** point of holding court.

9. **TRIAL**: Jury selection in this action shall be held on **Friday, April 13, 2018**, at **9:30 A.M.** at the **Clarksburg, West Virginia** point of holding court, to last four days. Trial will commence upon the completion of jury selection.

It is so **ORDERED**.

The Court **DIRECTS** the Clerk to transmit copies of this Order to counsel of record and all appropriate agencies.

DATED: February 13, 2018.

/s/ Irene M. Keeley  
IRENE M. KEELEY  
UNITED STATES DISTRICT JUDGE